

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ANDREW J. WITTY,

Plaintiff,

VS.

THE BANK OF NEW YORK
MELLON F/K/A THE BANK OF
NEW YORK MELLON AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF
CWALT INC., ALTERNATIVE
LOAN TRUST 2007-7T2,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES
2007T2,

Defendant.

THE BANK OF NEW YORK
MELLON F/K/A THE BANK OF
NEW YORK MELLON AS
TRUSTEE FOR THE
CERTIFICATEHOLDERS OF
CWALT INC., ALTERNATIVE
LOAN TRUST 2007-7T2,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES
2007T2,

Plaintiff,

VS.

ANDREW J. WITTY, ET AL.,

Defendant.

THIS MATTER having been opened to the Court by Blank Rome LLP,

counsel for The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of CWALT Inc., Alternative Loan Trust 2007-7T2, Mortgage Pass-Through Certificates, Series 2007-7T2 (“BONYM”), for an Order (i) granting BONYM summary judgment; (ii) striking the Answer to BONYM’s Foreclosure Complaint filed by Andrew J. Witty, with prejudice; (iii) remanding the matter docketed at 2:15-cv-00500-ES-MAH back to the Superior Court of New Jersey to be referred to the Office of Foreclosure to proceed as an uncontested matter; and (iv) dismissing Andrew J. Witty’s affirmative Complaint filed against BONYM under docket number 2:15-cv-08486-ES-MAH, with prejudice, and the Court having considered the supporting papers, any opposition and reply thereto, and oral argument, if any, and it appearing that BONYM is entitled to the relief requested and for good cause shown:

IT IS on this _____ day of _____ 2019;

ORDERED that BONYM’s Motion for Summary Judgment is **GRANTED**; and it is further

ORDERED that the Answer filed by Andrew J. Witty to BONYM’s Foreclosure Complaint is hereby **STRICKEN**, with prejudice; and it is further

ORDERED that the Clerk is directed to enter default against Andrew J. Witty; and it is further

ORDERED that the foreclosure action docketed at 2:15-cv-00500-ES-MAH

be and hereby is remanded back to the Superior Court of New Jersey to be referred to the Office of Foreclosure to proceed as an uncontested matter; and it is further

ORDERED that the Complaint filed by Andrew J. Witty under docket number 2:15-cv-08486-ES-MAH is hereby **DISMISSED** in its entirety, with prejudice.

BY THE COURT:
